

EXPRESSING THE SENSE OF CONGRESS THAT THE
UNITED STATES SHOULD CONDEMN THE PRACTICE OF
EXECUTION BY STONING AS A GROSS VIOLATION
OF HUMAN RIGHTS, AND FOR OTHER PURPOSES;
AND CALLING FOR AN END TO THE SEXUAL
EXPLOITATION OF REFUGEES

MARKUP
BEFORE THE
SUBCOMMITTEE ON
INTERNATIONAL OPERATIONS AND HUMAN RIGHTS
OF THE
COMMITTEE ON
INTERNATIONAL RELATIONS
HOUSE OF REPRESENTATIVES
ONE HUNDRED SEVENTH CONGRESS
SECOND SESSION
ON
H. Con. Res. 351 and H. Con. Res. 349
JULY 25, 2002
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THURSDAY, JULY 25, 2002

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON INTERNATIONAL
OPERATIONS AND HUMAN RIGHTS,
COMMITTEE ON INTERNATIONAL RELATIONS,
Washington, DC.

The Committee met, pursuant to call, at 1 p.m. in Room 2200, Rayburn House Office Building, Hon. Ileana Ros-Lehtinen [Chairwoman of the Subcommittee] presiding.

Ms. ROS-LEHTINEN. The Subcommittee will come to order. Pursuant to notice, I call up the resolution, H. Con. Res. 351, expressing the sense of Congress that the United States should condemn the practice of execution by stoning as a gross violation of human rights and for other purposes for markup. Without objection, the bill will be considered as read and open for amendment at any point.

[H. Con. Res. 351 follows:]

107TH CONGRESS
2D SESSION

H. CON. RES. 351

Expressing the sense of Congress that the United States should condemn the practice of execution by stoning as a gross violation of human rights, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 14, 2002

Ms. MCCOLLUM submitted the following concurrent resolution; which was referred to the Committee on International Relations

CONCURRENT RESOLUTION

Expressing the sense of Congress that the United States should condemn the practice of execution by stoning as a gross violation of human rights, and for other purposes.

Whereas death by stoning is a punishment formerly imposed in Afghanistan under the Taliban regime, and has been documented as a punishment in Nigeria, Iran, Saudi Arabia, Somalia, Sudan, and Yemen, according to the Department of State Reports on Human Rights Practices;

Whereas the brutal sentence of death by stoning is applied to women who have been accused of adultery, coerced into prostitution, or even raped;

Whereas execution by stoning is an exceptionally cruel form of punishment that violates internationally accepted

standards of human rights, including those set forth in the United Nations Universal Declaration of Human Rights and the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;

Whereas women around the world continue to be targeted for discriminatory, inhuman, and cruel punishments by governments who refuse to protect the rights of all of their citizens equally; and

Whereas Safiya Hussaini stands convicted of adultery and has been sentenced to death by stoning in the State of Sokoto, Nigeria, based solely on the evidence that she was divorced and pregnant, despite her claim that she was a victim of rape, and the fact that she has since given birth to the child: Now, therefore, be it

1 *Resolved by the House of Representatives (the Senate*
2 *concurring)*, That it is the sense of Congress that—

3 (1) the United States should condemn the prac-
4 tice of execution by stoning, and should call upon
5 the international community to recognize this prac-
6 tice as a gross violation of human rights;

7 (2) the President should formally communicate
8 this sense of Congress to governments imposing this
9 cruel punishment; and

10 (3) the President should urge Nigerian Presi-
11 dent Olusegun Obasanjo to immediately suspend the
12 sentence of death by stoning imposed on Safiya
13 Hussaini and take steps to ensure that Nigeria acts

4

3

1 in accordance with international human rights
2 standards.

○

Ms. ROS-LEHTINEN. I'd like to make my opening statement and then I would like to ask Mr. Pitts if he has any opening remarks. We are very thankful that the sponsor of the bill is with us and, although not a Member of our Subcommittee, we will also recognize her. And we will be looking at Ms. McCollum's stoning resolution, which seeks to condemn the practice of execution by stoning as degrading and inhuman treatment and a gross violation of human rights.

I first became involved with efforts to appeal stoning laws several years ago, after viewing a graphic and disturbing video of women in Iran being subjected to this abhorrent and cruel punishment. In the video, the condemn begin to pray, asking their god for the inner strength to endure with faith and fortitude what awaits them. They are wrapped head to foot in white shroud and buried up to their waste. Then, the stoning begins. The stones are specifically chosen, so they are large enough to cause pain, but not as large as to kill the condemn immediately. They are guaranteed a slow, tortuous death. Sometimes, their children are forced to watch. Their offense is usually adultery.

As I spoke to some of the victims, it was difficult for me to comprehend that such a deplorable practice is still being used. It is unconscionable that as we approach the conclusion of the first congressional session of the 21st century, we are still faced with the gruesome reality that stoning is employed in multiple countries, despite the ratification of the Convention Against Torture and obligations under other international human rights covenants.

For this reason, the substitute, which I will offer, goes beyond the Nigerian cases cited in the original resolution, to ensure a broader presentation of this situation and, in turn, more encompassing condemnation of the practice of stoning. Further, in Subcommittee and Committee hearings and briefings on the State Department's *Country Reports on Human Rights Practices*, the *Annual Report on International Religious Freedom*, and its *Trafficking in Persons Reports*, we have discussed the use of stoning and other inhumane practices, such as flogging and hanging.

We confirm that death by stoning disproportionately targets the female population under charges of adultery and prostitution and learn that it sometimes is employed against men and is used to punish other so-called crimes, which are more political in nature. The substitute covers these cases.

I ask my colleagues to support this substitute and I urge the President or Secretary of State to work with us, with Ms. McKinney and I, as we offer this toward the repeal of stoning laws and adherence to international human rights standards. And it is my pleasure to recognize my dear friend, Congresswoman Grace Napolitano, for any opening remarks.

Ms. NAPOLITANO. Thank you, Madam Chair. It is very important that we take a look at what is happening around the world publicly and vociferously object to the stoning practices, and the ability for us to be able to bring more information to light, so that we are all aware and can support resolution—this resolution, as it moves forward—

Ms. ROS-LEHTINEN. Thank you, Ms. Napolitano.

Ms. NAPOLITANO [continuing]. In order to move this agenda forward.

Ms. ROS-LEHTINEN. Thank you, very much. Mr. Pitts, any opening remarks?

Mr. PITTS. Just that I am pleased to join you, Madam Chairwoman, in the call for the abolition of this very cruel and inhuman punishment, as a gross violation of human rights. And I am proud to cosponsor this with you.

Ms. ROS-LEHTINEN. Thank you, very much, Joe. Mr. Ballenger?

Mr. BALLENGER. I would just like to reiterate the previous speaker. Obviously, things like this should never be allowed and it is our responsibility to do what we can to protect people in situations like that.

Ms. ROS-LEHTINEN. Thank you, very much. I have an amendment in the nature of a substitute at the desk, with without objection will be considered as read. And the substitute, worked out with our Ranking Member Ms. McKinney, is primarily technical in nature. It does have an additional whereas clause, to include statements from Amnesty International, regarding stoning; an additional whereas clause to cover the use of stoning to suppress religious freedom and political dissent; an additional whereas clause that addresses the actions by some government to commute stoning sentences; and a new resolved clause to go beyond, as I said in my statement, the Nigerian cases and covering stoning laws in other pertinent countries. The authors support and the language was worked out with Full Committee Majority and Minority Members and with the Subcommittee Ranking Member, Ms. McKinney.

[The information referred to follows:]

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H. CON. RES. 351
OFFERED BY MS. ROS-LEHTINEN**

Strike the preamble and insert the following:

Whereas death by stoning continues to be imposed as a form of punishment in several countries, as documented by the Country Reports on Human Rights Practices of the United States Department of State;

Whereas the brutal sentence of death by stoning is applied to women who have been accused of adultery, some of whom are coerced into prostitution, or even raped;

Whereas execution by stoning is an exceptionally cruel form of punishment that violates internationally accepted standards of human rights, including those set forth in the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;

Whereas women around the world continue to be disproportionately targeted for discriminatory, inhuman, and cruel punishments by governments who refuse to protect the rights of all of their citizens equally;

Whereas in some places stoning has also been invoked as punishment for “blasphemy”, thereby suppressing religious freedom and diversity and stifling political dissent;

Whereas in July 2002, Amnesty International referred to execution by stoning as “a method specifically designed to increase the victim’s suffering”; and

Whereas in the year 2002, there have been acquittals or dismissals of sentences to death by stoning: Now, therefore, be it

Strike the text after the resolving clause and insert the following:

1 That—

2 (1) the United States should condemn the practice of execution by stoning, and should call upon
3 the international community to recognize this practice as a gross violation of human rights;

4 (2) the President should formally communicate
5 this concurrent resolution to governments imposing
6 this cruel punishment and urge the suspension of
7 sentences to death by stoning; and

8 (3) the President should direct the Secretary of
9 State to work with the international community toward the repeal of stoning laws and adherence to
10 international human rights standards.
11
12
13

Ms. ROS-LEHTINEN. Are there any other amendments?

[No response.]

Ms. ROS-LEHTINEN. The question occurs then on the amendment. All in favor say, aye.

[Chorus of ayes.]

Ms. ROS-LEHTINEN. All oppose, nay.

[No response.]

Ms. ROS-LEHTINEN. The question occurs on the amendment. Since there were no amendments, the Chair will now entertain a motion that the bill be reported favorably to the Full Committee, as amended by the amendment in the nature of a substitute.

Mr. PITTS. So moved.

Ms. ROS-LEHTINEN. Thank you, Mr. Pitts. The question occurs on the motion to report the bill, H. Con. Res. 351 favorably as amended. All in favor say, aye.

[Chorus of ayes.]

Ms. ROS-LEHTINEN. All opposed, no.

[No response.]

Ms. ROS-LEHTINEN. The motion is approved and the bill is reported favorably. Without objection, the staff is directed to make any technical and conforming amendments. And I would like to thank the best Parliamentarian that we have in the House. Thank you, Mr. Dan Freeman. He makes me look like I really know what I am doing.

And now, we are very happy to call a resolution, H. Con. Res. 349, calling for effective measures to end the sexual exploitation of refugees for purposes of markup. Without objection, the bill will be considered as read and open for amendments at any point.

[H. Con. Res. 349 follows:]

107TH CONGRESS
2D SESSION

H. CON. RES. 349

Calling for an end to the sexual exploitation of refugees.

IN THE HOUSE OF REPRESENTATIVES

MARCH 13, 2002

Ms. MILLENDER-MCDONALD submitted the following concurrent resolution;
which was referred to the Committee on International Relations

CONCURRENT RESOLUTION

Calling for an end to the sexual exploitation of refugees.

Whereas the United Nations has received reports of widespread sexual exploitation of refugees in exchange for humanitarian assistance;

Whereas a report commissioned by the United Nations High Commissioner of Refugees and the British organization Save the Children accuses dozens of aid workers in Liberia, Sierra Leone, and Guinea of refusing to give food and medicine to young girls unless they perform sexual favors;

Whereas the Secretary General of the United Nations has denounced this sexual exploitation and called for a full investigation of the humanitarian staff from the agencies involved;

Whereas international nongovernmental organizations, government agencies responsible for humanitarian response, and peacekeeping forces have all been implicated in various reports of sexual exploitation of refugees;

Whereas the exchange of sex for money or gifts appears to be widespread and many refugee children feel that there are no other options for securing their basic necessities;

Whereas the majority of the victims of this exploitation are girls between the ages of 13 and 18 years old, many of whom are orphaned;

Whereas insufficient food rations was cited as a primary factor contributing to sexual exploitation; and

Whereas refugees are often highly illiterate and susceptible to exchanging sex for food to help their families survive:
Now, therefore, be it

1 *Resolved by the House of Representatives (the Senate*
2 *concurring)*, That Congress—

3 (1) supports the Secretary General of the
4 United Nations in condemning the sexual exploi-
5 tation of children by humanitarian aid workers;

6 (2) urges the United Nations Office of Inves-
7 tigative Oversight Services to conduct an investiga-
8 tion of sexual exploitation of refugees by humani-
9 tarian aid workers of both non-governmental organi-
10 zations and government sponsored agencies; and

11 (3) urges the President to—

1 (A) affirm the commitment of the United
2 States to protecting the well-being and human
3 rights of women and girls; and

4 (B) instruct the Administrator of the
5 United States Agency for International Devel-
6 opment and the Secretary of Agriculture to re-
7 view the distribution of food assistance to ref-
8 ugee communities throughout the world to en-
9 sure that humanitarian assistance to refugees
10 provided by the United States is respectful of
11 the human rights of women and girls and sup-
12 ports young girls identified as victims of sexual
13 exploitation.

○

Ms. ROS-LEHTINEN. I know that our Members are pressed for time. We are very happy to have the sponsor of the amendment with us here today and would like to recognize her for the opening statement. Thank you, very much. We are very happy that you are here with us. We want to make you part of our Subcommittee.

Ms. MILLENDER-MCDONALD. I would love to.

Ms. ROS-LEHTINEN. Come join us.

Ms. MILLENDER-MCDONALD. Thank you, very much.

Ms. ROS-LEHTINEN. Thank you. You are recognized, Ms. Millender-McDonald, whose bill is before us today.

Ms. MILLENDER-MCDONALD. Thank you, so much, Madam Chair, and it is great to be with you. I have always been impressed with your position on issues, such as what we are bringing forth to this Subcommittee today. And sitting to my left is a former Chair of mine, and so I am happy to be with Mr. Pitts, as well.

Thank you for allowing me the opportunity to comment, appear before Subcommittee, to offer this testimony on behalf of H. Con. Res. 349, this bill that I introduced in March of this year. Since that time, Madam Chair, accordingly to the recent letters I received from the Washington office of the United Nations High Commissioner for Refugees, or UNHCR, as it is commonly known, progress has been made by that organization, in taking preventive action and imposing guidelines for field staff in Africa and other regions of the world. Mr. Lubbers, the UNHCR head, issued a statement on July 12th, reiterating there is absolutely no place in the humanitarian community for those, who exploit others, and again emphasizes the need for strict adherence to a zero tolerance policy.

It is also true that the UN Office of International Oversight Services has carried out more than 250 interviews in the field on this matter, and will issue its report to the UN General Assembly later this year. One might be led to think that the allegations contained in the UNHCR Save the Children UK report of last February, on sexual abuse of child refugees, particularly young girls, were unfounded and that humanitarian workers in these refugee camps were being unfairly targeted. But, that is not the case.

All of this week, the wire services and Newsweek Magazine informed us about sexual abuse in a large refugee settlement in eastern Zimbabwe. The camp manager and the country director of the International Catholic Migration Commission were fired. The alleged abuses centered on ICMC employees denying scholarships and other services to female refugees, who refuse their demands for sex. It is suggested that there are further problems in Zimbabwe and Namibia, also located in southern Africa.

This issue is not an isolated matter, one to be regulated to the margins of our consciousness. The matter of sexual abuse of women and children is a real threat and especially for those, who have already been dispossessed from their homelands and who face uncertain futures.

In March, as co-Chair of the Congressional Caucus on Women's Issues, I participated in the commemoration of International Women's Day and joined with my other colleagues and Lifetime T.V. in highlighting the issues of stopping violence against women worldwide. Indeed, I moderated the panel on the international fight against violence. We heard from a number of advocates on matters

relating to trafficking, female genital mutilation, other crimes, and Afghan women.

We, also, focused on refugee women. On this issue, we now know that the lives of refugee women and their children are at stake. The quality of life in many refugee settings can lead to sexual violence, abuse, and harassment of children. This is what happens and appears to have occurred in the refugee camps—refugee camps located in Sierra Leone, Guinea, and Liberia, and now Zimbabwe, and specifically and possibly elsewhere. Young girls are defenseless in the face of such exploitations and, therefore, we must be their champions wherever such evil is found in the world. It is appalling that local aid workers of international and local humanitarian agencies and NGOs and even perhaps some members of peace-keeping forces have been accused of carrying out this sexual exploitation.

Madam Chair, my solution commends the Secretary General of the United Nations for his forthright stand on this matter and supports his call for a complete investigation by the UN Office of Oversight Services for this gaudiculous situation. When I and several other members of the women's caucus met with Mr. Anon in New York in April, he expressed his deep appreciation for our concern and indicated that along with the global UN investigation underway, he believed that more women should help manage these camps, to avoid such exploitation.

Part of the lack of protection of refugee children rights comes from too little money. Although the United States contributed about 22 percent of the budget of UNHCR, the funding from all donors is inadequate. Increased resources are a must, if better physical protection is to be made available for women and their children.

These refugee settlements are often large operations and are quite complex to run. Due to decreased funding, UNHCR and its NGO partners have had to cut staff and drop supervision of many services. This has led to the UN's guidelines on protecting the refugee women and children rights not being fully implemented.

Obviously, we must strive to commit more funding to UN agencies dealing with refugees, so that the camps become a less dangerous environment for women and children. My measure also calls on the President to reaffirm the commitment of the United States to protect the well being of human rights of women and girls, as well as to review, under USAID and the Department of Agriculture, the distribution of U.S. food assistance to refugee communities around the world.

We cannot allow girl children to become sexual pawns, because they do not have enough food to eat. This situation really should not be tolerated. It is distressing that many girls feel compelled to exchange sexual favors for food, because their food rations cannot last a month and their families go hungry. This lack of sufficient food is something that the American people would want to do something about. My bill requests USAID and the Department of Agriculture to review the way food assistance is provided to refugee communities.

Madam Chair, I thought it is important to highlight these issues and to show our government takes the matter of abuse of women

rights seriously whenever it is found. The President must confirm this principle on the part of the American people.

Hopefully, the final report of the UN investigation will make recommendations about the disciplining of those, who sexually exploit children. I firmly believe that this prompt action must be taken to bring those, who have brought shame upon the honorable profession of giving service to refugees dispossessed of the earth, to full account.

I appreciate your consideration in marking up this legislation in your Subcommittee and can only hope that it will move quickly out of the Full Committee for floor action. This matter cannot be swept away and will require the fullest review, if we are to combat this ultimate offense against the rights of the weakest of our global citizens, the refugees. Thank you, Madam Chair.

[The prepared statement Ms. Millender-McDonald follows:]

PREPARED STATEMENT OF THE HONORABLE JUANITA MILLENDER-MCDONALD, A
REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Madame Chair:

Thank you for allowing me the opportunity to appear before your Subcommittee and to offer this testimony on behalf of H. Con. Res. 349, the Bill I introduced in March of this year.

Since that time, Madame Chair, according to a recent letter I received from the Washington Office of the United Nations High Commissioner for Refugees, or UNHCR as it is commonly known, progress has been made by that organization in taking preventive action and imposing guidelines for field staff in Africa and in other regions of the world. Mr. Lubbers, the UNHCR Head, issued a statement on July 12th reiterating *"there is absolutely no place in the humanitarian community for those who exploit others and again emphasizes the need for strict adherence to a 'zero-tolerance' policy."* It is also true that the UN Office of Internal Oversight Services has carried out more than 250 interviews in the field on this matter and will issue its report to the UN General Assembly later this year.

One might be led to think that the allegations contained in the UNHCR/Save The Children (UK) report of last February on sexual abuse of child refugees, particularly, young girls were unfounded and that humanitarian workers in these refugee camps were being unfairly targeted. But that is not the case.

Only this past week, the wire services and NEWSWEEK magazine informed us about sexual abuse in a large refugee settlement in eastern Zimbabwe. The camp manager and the country director of the International Catholic Migration Commission (ICMC) were fired. The alleged abuses centered on ICMC employees denying scholarships and other services to female refugees who refused their demands for sex. It is suggested that there are further problems in Zambia and Namibia, also located in southern Africa. This issue is not an isolated matter—one to be relegated to the margins of our consciousness. The matter of sexual abuse of women and children is a real threat and especially for those who have already been dispossessed from their homelands and who face uncertain futures.

In March, as co-chair of the Congressional Caucus on Women's Issues, I participated in the commemoration of International Women's Day and joined with my other colleagues and Lifetime TV in highlighting the issue of stopping violence against women worldwide. Indeed, I moderated the panel on the International Fight against Violence. We heard from a number of advocates on matters relating to Trafficking, female genital mutilation, honor crimes and Afghani women. We also focused on refugee women.

On this issue, we now know that the lives of refugee women and their children are at stake. The poor quality of life in many refugee settings *can* lead to sexual violence, abuse and harassment of children.

This is what appears to have occurred in the refugee camps located in Sierra Leone, Guinea and Liberia and now Zimbabwe and possibly elsewhere. Young girls are defenseless in the face of such exploitation and therefore we must be their champions wherever such evil is found in the world.

It is appalling that local aid workers of international and local humanitarian agencies and NGOs, and even perhaps some members of peacekeeping forces, have been accused of carrying out this sexual exploitation.

Madame Chair, my Resolution commends the Secretary General of the United Nations for his forthright stand on this matter and supports his call for a complete investigation by the UN Office of Oversight Services of this scandalous situation. When I and several other Members of the Women's Caucus met with Mr. Annan in New York in April, he expressed his deep appreciation for our concern and indicated that, along with the global UN investigation underway, he believed that more women should help manage these camps to avoid such exploitation.

Part of the lack of protection of refugee children's rights comes from too little money. Although the United States contributes about 22 per cent of the budget of UNHCR, the funding from *all* donors is inadequate. Increased resources are a must if better physical protection is to be made available for women and their children. These refugee settlements are often large operations and are quite complex to run. Due to decreased funding, UNHCR and its NGO partners have had to cut staff and drop supervision of many services. This has led to the UN's guidelines on protecting refugee women and child rights not being fully implemented. Obviously, we must strive to commit more funding to UN agencies dealing with refugees, so that the camps become a less dangerous environment for women and children.

My measure also calls on the President to re-affirm the commitment of the United States to protect the well-being and human rights of women and girls as well as to review under USAID and the Department of Agriculture, the distribution of US food assistance to refugee communities around the world.

We cannot allow girl children to be come sexual pawns because they do not have enough food to eat. This situation really should not be tolerated. It is distressing that many girls feel compelled to exchange sexual favors for food because their food rations cannot last a month and their families go hungry. This lack of sufficient food is something that the American people would want to do something about. My bill requests USAID and the Department of Agriculture to review the way food assistance is provided to refugee communities.

Madame Chair, I thought that it was important to highlight this issue and to show that our Government takes the matter of abuse of human rights seriously wherever it is found. The president must affirm this principle on the part of the American people. Hopefully, the final report of the UN investigation will make recommendations about the disciplining of those who sexually exploit children. I firmly believe that prompt action must be taken to bring those who have brought shame upon the honorable profession of giving service to refugees—the dispossessed of the earth—to full account.

I appreciate your consideration in marking up this legislation in your Subcommittee and can only hope that it will move quickly out of the full committee for floor action. This matter cannot be swept away and will require the fullest review if we are to combat this ultimate offense against the rights of the weakest of our global citizens—the refugee.

Thank you.

Ms. ROS-LEHTINEN. Thank you. Very well said, Ms. Millender-McDonald. I would like for the Members to put any opening statements they have without objection into the record.

And I have an amendment in the nature of a substitute at the desk with, without objection, will be considered as read. The substitute includes the technical language that we worked out with the author of the resolution, Ms. Millender-McDonald. It does have one additional resolve clause, to ensure that codes of conduct requirements apply not only to NGOs, but also to the UN and United States personnel engaged in refugee work, as Ms. Millender-McDonald pointed out in her opening statements.

[The information referred to follows:]

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H. CON. RES. 349
OFFERED BY MS. ROS-LEHTINEN**

Strike the preamble and insert the following:

Whereas the United Nations and organizations engaged in international humanitarian relief periodically receive reports of sexual exploitation of refugees, particularly women and children;

Whereas last year a report commissioned by the United Nations High Commissioner of Refugees and the British organization Save the Children accuses aid workers in Liberia, Sierra Leone, and Guinea of refusing to give food and medicine to young girls unless they perform sexual favors;

Whereas in response to this report the Secretary General of the United Nations denounced sexual exploitation of refugees and called for a full investigation of the humanitarian staff from the agencies involved;

Whereas the charges against aid workers in West Africa are still being investigated and in recent years there have been reports implicating employees of international non-governmental organizations, government agencies responsible for humanitarian response, and peacekeeping forces in sexual exploitation of refugees;

Whereas many of these reports have involved children, some as young as 10 to 12 years of age;

Whereas the insufficiency of food rations in refugee camps has been cited as a primary factor contributing to sexual exploitation;

Whereas refugees are often extremely poor and cut off from employment and other ordinary means of income, so that they can be highly susceptible to demands that they exchange sex for food to help their families survive: and

Whereas the relationship between refugee workers and refugees is a custodial or caregiving relationship in which the custodian or caregiver can exercise substantial power over the life of the other party, and which carries a corresponding risk of abuse; Now, therefore, be it

Strike the text after the resolving clause and insert the following:

1 That the Congress—

2 (1) supports the Secretary General of the
3 United Nations in condemning the sexual exploi-
4 tation of children by humanitarian aid workers;

5 (2) urges the United Nations to conduct a com-
6 prehensive worldwide investigation into the extent, if
7 any, of sexual exploitation of refugees by agents or
8 employees of United Nations agencies, of other
9 international nongovernmental organizations, and of
10 governments;

11 (3) urges the President to—

12 (A) affirm the commitment of the United
13 States to protecting the well-being and human
14 rights of women and children, particularly those
15 in refugee situations; and

1 (B) instruct the Administrator of the
2 United States Agency for International Devel-
3 opment and the Secretary of Agriculture to re-
4 view the distribution of food assistance to ref-
5 ugee communities throughout the world to en-
6 sure that humanitarian assistance to refugees
7 provided by the United States is respectful of
8 the human rights of women and children and is
9 distributed in such a way as to minimize the
10 risk of sexual exploitation; and

11 (4) urges the Secretary General, the President,
12 and the executive authorities of all governmental and
13 nongovernmental entities engaged in refugee work to
14 adopt codes of conduct for employees, contractors,
15 and other agents of the United Nations, of the
16 United States Government, and of such govern-
17 mental and nongovernmental entities, respectively,
18 who are engaged in refugee work that strictly pro-
19 hibit sexual relationships between international ref-
20 ugee workers and those entrusted to their care, and
21 to enforce these prohibitions vigorously.

Amend the title so as to read: “Concurrent resolu-
tion calling for effective measures to end the sexual ex-
ploitation of refugees.”.

Ms. ROS-LEHTINEN. Are there any other amendments?

[No response.]

Ms. ROS-LEHTINEN. If not, then the question occurs on the amendment in the nature of a substitute. All in favor say, aye.

[Chorus of ayes.]

Ms. ROS-LEHTINEN. All opposed, no.

[No response.]

Ms. ROS-LEHTINEN. The Chair will not entertain a motion that the bill be reported favorably to the Full Committee, as amended by the amendment in the nature of a substitute.

Mr. PITTS. So moved.

Ms. ROS-LEHTINEN. Thank you, Mr. Pitts. The question occurs on the motion to report the bill, H. Con. Res. 351, favorably as amended. All in favor say, aye.

[Chorus of ayes.]

Ms. ROS-LEHTINEN. All opposed, no.

[No response.]

Ms. ROS-LEHTINEN. The motion is approved and the bill is reported favorably. Without objection, the staff is directed to make any technical and conforming amendment.

Ms. MILLENDER-MCDONALD. Madam Chair?

Ms. ROS-LEHTINEN. Yes, Ms. Millender-McDonald?

Ms. MILLENDER-MCDONALD. There are two letters: one from the interaction and one from UNHCR that was sent to me, supporting this. May I please submit those for the record?

Ms. ROS-LEHTINEN. And we will put that, without objection in the—

Ms. MILLENDER-MCDONALD. Yes.

Ms. ROS-LEHTINEN [continuing]. In the record. Thank you, so much.

Ms. MILLENDER-MCDONALD. Thank you.

Ms. ROS-LEHTINEN. And I thank all the Members for coming. Ms. Millender-McDonald, thank you for an excellent opening statement.

Ms. MILLENDER-MCDONALD. Thank you.

Ms. ROS-LEHTINEN. Thank you, very much.

Ms. MILLENDER-MCDONALD. Thank you, so much.

[Whereupon, at 2:10 p.m., the Subcommittee was adjourned.]

A P P E N D I X

MATERIAL SUBMITTED FOR THE HEARING RECORD



President
Mary E. McClymont

Chair
Nancy A. Aossay
International Medical Corps

Vice Chair
Daniel Paleygom
Pattinder International

Secretary
Charles F. McCormack
Save the Children

Treasurer
John M. Palmer, III
Helen Keller Worldwide

Assistant Secretary
Sandra Swan
Episcopal Relief & Development

Executive Committee
Iqbal Haq Ali, Aga Khan Foundation
Robert Chase, World Learning
Gosia Rao Gupta, InT Center for Research on Women
Neal Kany-Super, Mercy Corps International
Gerald Hildonnet, Kolibri Partners, Inc.
Leslie Mancuso, Project Hope
John McCough, Church World Service
Steve Moseley, Academy for Educational Development
Sarah Newhall, PACT
Raymond Ottenhosen, Outram-America
Linda Pfeiffer, International Medical Services for Health
Farhad Ramegari, Relief International
William Reese, International Youth Foundation
Yolanda Richardson, Africare
Byron Schumacher, Adventist Development and Relief Agency
John Schulte, Christian Children's Fund
Milo Stancijevich, CARE
Susan Sygal, Mobility International, U.S.A.
Emily Untermyer, Amigos de las Americas
Richard Weldon, Operation USA
Bruce Wilkinson, World Vision
Kathryn Wolcott, Lutheran World Relief

Ex Officio
Rick Augsburg, Church World Service
Diane Avin, United Jewish Communities
David Beckmann, Bread for the World
Michael Deegan, ACD/VOCA
Sam Evans, YMCA of the USA
Laura Henderson, CARE
Nancy Lindborg, Mercy Corps International
Charles F. McCormack, Save the Children
Cheryl Mordant, InT Center for Research on Women
Sarah Newhall, PACT
Richard Ryscavage, Jewish Refugee Service
Jean Slickan, Shere Foundation
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Sam Worthington, ChildsreachPlan International

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July 24, 2002

The Honorable Juanita Millender-McDonald
125 Cannon House Office Building
US House of Representatives
Washington, DC 20515

Dear Representative Millender-McDonald:

I am writing on behalf of InterAction, a coalition of 160 U.S. based international humanitarian, refugee, and development nongovernmental organizations working in every developing country to reduce poverty and suffering. I want to commend you for your leadership and commitment to safeguarding the welfare of refugees and children.

You have been a long-standing champion of the rights of vulnerable and the disadvantaged. Few groups are as vulnerable as refugee children. We are particularly pleased that you have introduced H.Con.Res. 349 calling for an end to the exploitation of refugee children and urging the U.N. Secretary General Kofi Annan, the Administration and nongovernmental organizations to work together to better safeguard the rights of refugees and children.

I want assure you that InterAction takes very seriously the issue of protecting and promoting the rights of refugees and other vulnerable populations. As you know, in March of 2002, InterAction set up a taskforce, to recommend ways to prevent the sexual exploitation of refugees, which issued a report in June of this year. This report made a series of recommendations on how the NGO community, in concert with the UN and donor agencies, should address this issue and better safeguard the rights and promote the wellbeing of refugee children. One of the key recommendations of the report calls on NGOs to adopt and implement codes of conduct to prevent any future exploitation of these highly vulnerable populations.

We look forward to working with you in the months and years ahead towards our common goal of improving the lives of millions of displaced, disadvantaged and vulnerable people across the world.

Thank you again for your caring and commitment to these important issues.

Sincerely,

Mary E. McClymont
President and CEO



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Suite 500
Washington, DC 20006

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27 June 2002

The Honorable Juanita Millinder-McDonald
125 Cannon House Office Building
U.S. House of Representatives
Washington, DC 20510

Dear Representative Millinder-McDonald,

Knowing of your interest and concern about reports on sexual exploitation of refugees in West Africa, I wanted to share with you some of the progress made in follow-up preventive actions undertaken by UNHCR.

The team of the UN Office of Internal Oversight Services has conducted more than 250 interviews in the field. The final OIOS report will be presented to the 5th Committee of the UN General Assembly later this year.

UNHCR has taken already several preventive and remedial actions. UNHCR has developed prevention and response guidelines for field staff that are currently being field tested in the region. Similar training and field-testing is also being implemented in other regions of the world as well. UNHCR and the World Health Organization have developed a field guide to assist countries in the development of protocols and procedures for providing clinical care to survivors of rape. A Code of Conduct is being finalized, to provide guidance to staff in all regions of expected professional standards. The High Commissioner has reiterated to staff a zero-tolerance policy, clarifying his expectation that all staff cooperate with the investigation, and that even failure to cooperate with the investigators will be grounds for disciplinary action.

UNHCR has also increased staff capacity West Africa, adding eight professional staff to work in the area of sexual and gender violence prevention. Additionally, 20 new staff have been deployed to respond to the new outbreaks of violence in Liberia as well as the growing repatriation to Sierra Leone.

I thank you for your support to refugees and the work of UNHCR.

Sincerely Yours,


John Fredriksson
Coordinator - External Affairs

PREPARED STATEMENT OF THE HONORABLE BETTY MCCOLLUM, A REPRESENTATIVE IN
CONGRESS FROM THE STATE OF MINNESOTA

I would like to thank the Chairwoman, the Ranking Member, and all the members of the Subcommittee on International Operations and Human Rights for consideration of this bill, *House Concurrent Resolution 351*, which condemns both the sentence and practice of execution by stoning.

The digging of a pit in the earth, the burying of an individual up to their waist or shoulders, and then, the gathering of a members of a community to cast stones and rocks at the exposed torso and head of a woman or a man until death is brutal, cruel, and inhumane.

HConRes 351 is intended to send a message to the most remote corners of the globe that the sentence of stoning—particularly when used as a tool of gender persecution to control women and girls—is far beneath any minimum standard of human rights recognized by this House and by the people of the United States.

At the same time, Madame Chair, this resolution is not intended to be disrespectful to any nation, religion or culture. But, I do believe, so strongly, that the most basic rights of every man, woman and child on earth must be respected, protected and defended. It is this belief in fundamental human rights that forces me to speak out and, I know that working together, we can extinguish this brutal punishment from the face of the earth.

Individuals who have been given this brutal sentence—almost all women—must be defended because their humanity demands a level of respect that far exceeds the torturous and cruel act of stoning.

I do not know the women most recently sentenced to death by stoning. I will likely never visit their villages in Africa, Asia or the Middle East. But I will stand with them as a sister, as a citizen of this world, and work to defend the most basic human rights we all deserve to enjoy.

Today, I am very proud of my colleagues on this committee for your willingness to highlight this issue. I am also very proud of the millions of Americans who care so passionately about defending human rights around the world.

Madame Chair, once again, I want to sincerely thank you and the members of the Subcommittee for their support and efforts on this legislation. Thank you for your efforts to defend human rights around the world.

